

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL ORJI,

Plaintiff,

v.

OPINION and ORDER

WARDEN FCI OXFORD, and IMMIGRATION AND
CUSTOMS ENFORCEMENT,

24-cv-300-jdp

Defendants.

Petitioner Michael Orji, proceeding without counsel, is incarcerated at FCI Oxford and seeks a writ of habeas corpus under 28 U.S.C. § 2241. He contends that he is entitled to sentence credit under the First Step Act that would entitle him to an earlier release date or expedited removal proceedings.

I set an expedited briefing schedule on Orji's petition because the United States Attorney had already responded to a § 2241 petition Orji filed in the Middle District of Pennsylvania, Case No. 23-cv-1423. Dkt. 4. After respondent filed a response to Orji's petition in this case, Orji requested and received a 30-day extension of the deadline to submit his reply because he was waiting to receive documents related to his immigration proceedings. Dkt. 11. Orji now seeks either a second extension of time or a stay of proceedings in this case to give him time to communicate with his immigration attorney and "to attempt to resolve the immigration issue." Dkt. 12.

It appears that Orji filed his petition with this court prematurely. Orji needs more time to address his pending immigration issue, but he does not specify how much time he wants the court to give him. There is no need for this case to remain open indefinitely while Orji takes the time he needs to work with his immigration attorney. The court will dismiss his petition

without prejudice. If Orji wishes to reopen this case after his immigration proceedings are resolved, he may ask the court to do so.

ORDER

IT IS ORDERED that petitioner Michael Orji's petition for writ of habeas corpus is DENIED without prejudice.

Entered July 3, 2024.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge